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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,073	02/19/2002	Fumiaki Kagaya	34226	4283

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EXAMINER

BATURAY, ALICIA

ART UNIT PAPER NUMBER

2155

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/009,073	KAGAYA ET AL.	
	Examiner	Art Unit	
	Alicia Baturay	2155	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☒ Claim(s) 1, 4, 5 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                    |                                                                             |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____                                                |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>04142005</u>                                                              | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. Claims 1-15 are pending.

#### *Specification*

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The specification is objected to because of the following informalities: On page 1, line 17 Applicant states "... and connection to a mail server *has* been in widespread use..." It is

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believed Applicant meant to write "... and connection to a mail server *have* been in widespread use..." Additionally, on page 1, line 19, Applicant states "...as well as wide-spreading of such terminals concerning internet browsers..." It is suggested that Applicant amend this to read "...as well as *the use* of such terminals *capable of supporting* internet browsers..." Further, on page 1, line 22, Applicant states "...with the proliferation of mails..." It is thought Applicant meant to write "...with the proliferation of *mail*..." These corrections are exemplary and further corrections within the specification are required.

### ***Claim Objections***

5. Claims 1 and 15 are objected to because of the following informalities: these claim use the phrase "used-defined." It is believed that Applicant meant to write "*user*-defined." Appropriate correction is required.
6. Claims 4 and 5 are objected to because of the following informalities: the final sentence in each claim ends with the word "mails." It is suggested that Applicant amend these claims to read "...selects the mail application to automatically display the latest mail data." Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

7. Regarding claims 1, 8, and 15, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

*Claim Rejections - 35 USC § 102*

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1, 3-9, and 11-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Albal et al. (U.S. 2003/0147518).

10. With respect to claim 1, Albal discloses an information display apparatus comprising: voice call means for making voice calls via lines (Albal, page 2, paragraph 23); calling number acquisition means for acquiring the telephone number of a calling party at call incoming (Albal, page 3, paragraph 26); data retrieval means for retrieving sender data acquired via said calling number acquisition means from a sender database that can store a plurality of data sets, each data set comprising a sender name and address, mail address and a network resource (URL) associated with a sender number as well as terminal resources such as text data and graphic data stored in the memory on a terminal (Albal, Fig. 3; page 3, paragraph 26); data communication means equipped with an interface for making data communications via lines (Albal, page 2, paragraph 17); network resource acquisition means equipped with a series of network protocols for acquiring network resources by using said data communication means; terminal resource acquisition means for acquiring resources on terminals (Albal, page 5, paragraph 42); application selection means for acquiring a network

or a terminal resource corresponding to a predetermined or used-defined calling number from sender data retrieved via said data retrieval means and for selecting the application corresponding to the acquired resource (Albal, page 5, paragraph 44); and display means for displaying on the screen the resource and the application selected via said application selection means (Albal, page 2, paragraph 18).

11. With respect to claim 3, Albal discloses an information display apparatus wherein said display means further comprises additional information selection means and that said display means acquires additional information via said terminal resource acquisition means in accordance with additional information described in said sender data in order to display data together with the additional information (Albal, Fig. 3; page 3, paragraph 26).

12. With respect to claim 4, Albal discloses an information display apparatus wherein, in case a resource to be displayed is mail data, said application selection means retrieves mail data for the mail address described in the sender data retrieved by said data retrieval means from a plurality of mail data sets stored in the memory on a terminal that have been received via said terminal resource acquisition means, and in case corresponding mails are present, selects the mail application to automatically display the latest mail data (Albal, page 8, paragraph 76).

13. With respect to claim 5, Albal discloses an information display according to any one of the preceding claims, wherein, in case a resource to be displayed is mail data, said application selection means automatically connects to a prespecified mail server via said network

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resource acquisition means and retrieves mail data corresponding to the mail address described in the sender data retrieved by said data retrieval means from mail data on the server, and in case corresponding mails are present, acquires mail data from the server and selects the mail application to automatically display the latest mail data (Albal, page 8, paragraph 76).

14. With respect to claim 6, Albal discloses an information display apparatus according to any one of the preceding claims, wherein, in case a resource to be displayed is mail data, said application selection means retrieves mail data on the mail server via said network resource acquisition means, and retrieves mail data stored in the memory on a terminal via said terminal resource acquisition means to retrieve and acquire the latest mail data from both the network and the terminal, then selects the mail application to display the latest mail data (Albal, page 5, paragraph 44).

15. With respect to claim 7, Albal discloses an information display apparatus according to any one of the preceding claims, wherein, in case a resource to be displayed is a resource on the network (URL), said application selection means automatically acquires the corresponding URL data via said network resource acquisition means and selects a web browser application to display the URL data (Albal, page 5, paragraph 46).

16. With respect to claim 8, Albal discloses an information display apparatus according to any one of the preceding claims, wherein, in case a resource to be displayed is a resource on the

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terminal such as text data and graphic data, said information display apparatus acquires the corresponding file or data via said terminal resource acquisition means and selects a web browser application to display the resource (Albal, page 5, paragraph 46).

17. With respect to claim 9, Albal discloses an information display apparatus according to any one of the preceding claims, wherein said display means displays data together with sound, music data or voice data preset by the data or application to be displayed (Albal, page 3, paragraph 30).

18. With respect to claim 11, Albal discloses an information display apparatus according to any one of the preceding claims, wherein said sender database is stored in a server on the network and accessed via said network resource acquisition means at call incoming for retrieval and acquisition of the sender data corresponding to said sender number (Albal, page 3, paragraph 26).

19. With respect to claim 12, Albal discloses an information display apparatus according to any one of the preceding claims, wherein sender database is stored in the memory on a terminal and a server on the network and that said data retrieval means searches the sender database stored in said memory at call incoming and, in case the corresponding sender data is not present, accesses the sender database via said network resource acquisition means to search the sender database on the server for target data (Albal, page 3, paragraph 26).

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20. With respect to claim 13, Albal discloses the latest mail data a portable information terminal, wherein said portable information terminal uses radio link networks and comprises information display apparatus according to any one of the preceding claims (Albal, page 2, paragraph 24).
21. With respect to claim 14, Albal discloses a telephone set using public networks and comprising information display apparatus (Albal, page 1, paragraph 16).
22. With respect to claim 15, Albal discloses an information display method comprising the steps of: acquiring the telephone number of a calling party at call incoming (Albal, page 3, paragraph 26); retrieving sender data acquired via said calling number acquisition step from a sender database that can store a plurality of data sets, each data set comprising a sender name and address, mail address and a network resource (URL) associated with a sender number as well as terminal resources such as text data and graphic data stored in the memory on a terminal (Albal, Fig. 3; page 3, paragraph 26); acquiring network resources and resources on terminals (Albal, page 5, paragraph 42); acquiring a network or a terminal resource corresponding to a predetermined or used-defined calling number from sender data retrieved via said data retrieval means; selecting the application corresponding to the acquired resource (Albal, page 5, paragraph 44); and displaying on the screen the resource and the application selected via said application selection means (Albal, page 2, paragraph 18).

*Claim Rejections - 35 USC § 103*

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

24. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Albal and further in view of Fogarty (U.S. 6,311,180).

25. With respect to claim 2, Albal discloses an information display apparatus capable of displaying information about a caller (Albal, Fig. 3; page 3, paragraph 26). But Albal does not expressly disclose the use of a priority table. However, Fogarty does teach an information display apparatus further comprising a display priority table to make the user be able to set which resource is to be displayed first from a set of data described in the sender data retrieved via said data retrieval means (Fogarty, col. 5, lines 31-41). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Albal with Fogarty in order to facilitate the displaying of documents on a wide array of display devices, especially mobile communication display devices (Fogarty, col. 3, lines 29-31).

26. With respect to claim 10, the combination of Albal and Fogarty discloses the invention substantially including an information display apparatus according to any one of the preceding claims, wherein said display means displays data together with a background color

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or background data preset by the data or application to be displayed (Fogarty, col. 7, lines 3-14).

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*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay  
April 15, 2005

  
HOSAIN ALAM  
SUPERVISOR PATENT EXAMINER